



DEPARTMENT OF THE ARMY  
HEADQUARTERS, U.S. ARMY MEDICAL COMMAND  
2050 WORTH ROAD  
FORT SAM HOUSTON, TEXAS 78234-6000

REPLY TO  
ATTENTION OF

MCHO-CL-P

12 Feb 03

MEMORANDUM FOR

COMMANDERS, MEDCOM REGIONAL MEDICAL/DENTAL COMMANDS  
COMMANDER, 18<sup>th</sup> MEDICAL COMMAND, UNIT 15281, APO AP 96205-0054

SUBJECT: Documenting Acknowledgment of Military Health System (MHS) Notice of Privacy Practice (NOPP)

1. The Privacy Rule of the Health Insurance Portability and Accountability Act (HIPAA), Public Law 104-191, requires that every medical and dental treatment facility (MTF/DTF) maintain evidence that beneficiaries received the MHS NOPP. The enclosed NOPP Acknowledgement Label was developed for this purpose. This memorandum provides instructions for the use and disposition of this label.
2. The NOPP explains to beneficiaries how MTFs and DTFs use protected health information and patient rights concerning medical information. In collaboration with the Services, the TRICARE Management Activity (TMA) developed a single NOPP and NOPP Acknowledgement Label for use throughout the MHS. In time to meet the 14 April 2003 compliance deadline, TMA will mail the NOPP to all beneficiaries and provide additional copies to MTFs and DTFs. If the patient requires the MHS NOPP in a different language, the MTF/DTF staff can download the needed version from the TMA website at <http://www.tricare.osd.mil/hipaa>.
3. Sufficient quantities of NOPP Acknowledgement Labels will be mailed by TMA to all MTFs and DTFs no later than 14 February 2003. The MTF/DTF staff may order additional supplies of the label at no cost through the TMA Smart site: <http://www.tricare.osd.mil/smart>.
4. Without exception, the NOPP Acknowledgement Label is the only official document for recording patient signature to verify receipt of the NOPP. The Label must be affixed to the medical record jacket (either DA Form 3444-series or 8005-series), centered on the outside of the back cover, as illustrated at the enclosure. A future update to Army Regulation 40-66, Medical Record Administration and Health Care Documentation, will reflect these changes.
5. I expect every MTF and DTF commander to place the necessary emphasis on this effort to achieve compliance.

DASG-HS

SUBJECT: Documenting Acknowledgment of Military Health System (MHS) Notice of Privacy Practices (NOPP)

6. My project officers are LTC Marta Davidson, AMEDD HIPAA Privacy Project Officer, at DSN 471-6113, COM (210) 221-6113; and Mrs. Teresa Foley, Office of The Surgeon General Medical Record Consultant, DSN 761-3109, COM (703) 681-3109.

FOR THE COMMANDER:

A handwritten signature in black ink that reads "Kenneth L. Farmer, Jr." in a cursive style.

KENNETH L. FARMER, JR.  
Major General  
Chief of Staff

Encl

**Instructions and Sample Plan for Obtaining the Notice of Privacy Practices (NOPP) Acknowledgement Signature**

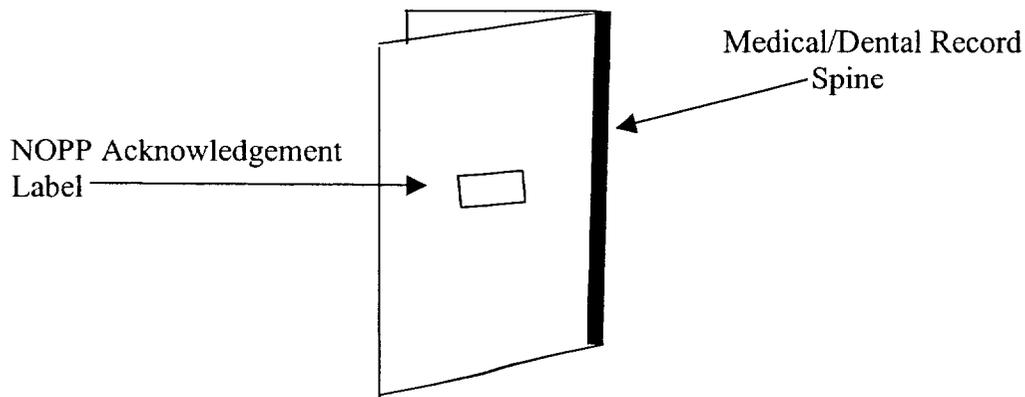
**PROCESS:** Placement of the NOPP Acknowledgement Label on the outpatient medical/dental Record. The NOPP Acknowledgement Label is not placed on the inpatient medical record.

1. The NOPP Acknowledgement Label shown below was approved by TMA and is the standard form that **MUST** be used within the MHS to verify receipt of the MHS NOPP. An initial supply of labels will be mailed to each MTF/DTF by TMA starting in December 2002. The MTF/DTF is responsible for ordering additional supplies of labels from the TMA SMART site <http://www.tricare.osd.mil/SMART> or they can be locally reproduced from the templates provided by the AMEDD.

Acknowledgement of Military Health System Notice of Privacy Practices	
The signature below only acknowledges receipt of the Military Health System Notice of Privacy Practices, effective date <u>14 April 2003</u> .	
Print Signature of Patient /Patient Representative	date
Name of Patient /Representative	relationship to patient (if applicable)
FMP/SSN: _____ / _____ - _____ - _____	
<input type="checkbox"/> Patient/Representative declined to sign _____ MTF staff initials	

**Note:** The label is sized to scale and can be reproduced locally on Avery Label #5263, size: 2 inches x 4 inches. TMA has provided a template for local reproduction of the label, if the MTF/DTF desires to use this approach.

2. The MHS NOPP Acknowledgement Label **MUST** be placed on the **BACK OUTSIDE COVER** of the outpatient medical/dental record, **CENTERED IN THE MIDDLE** of the records jacket.

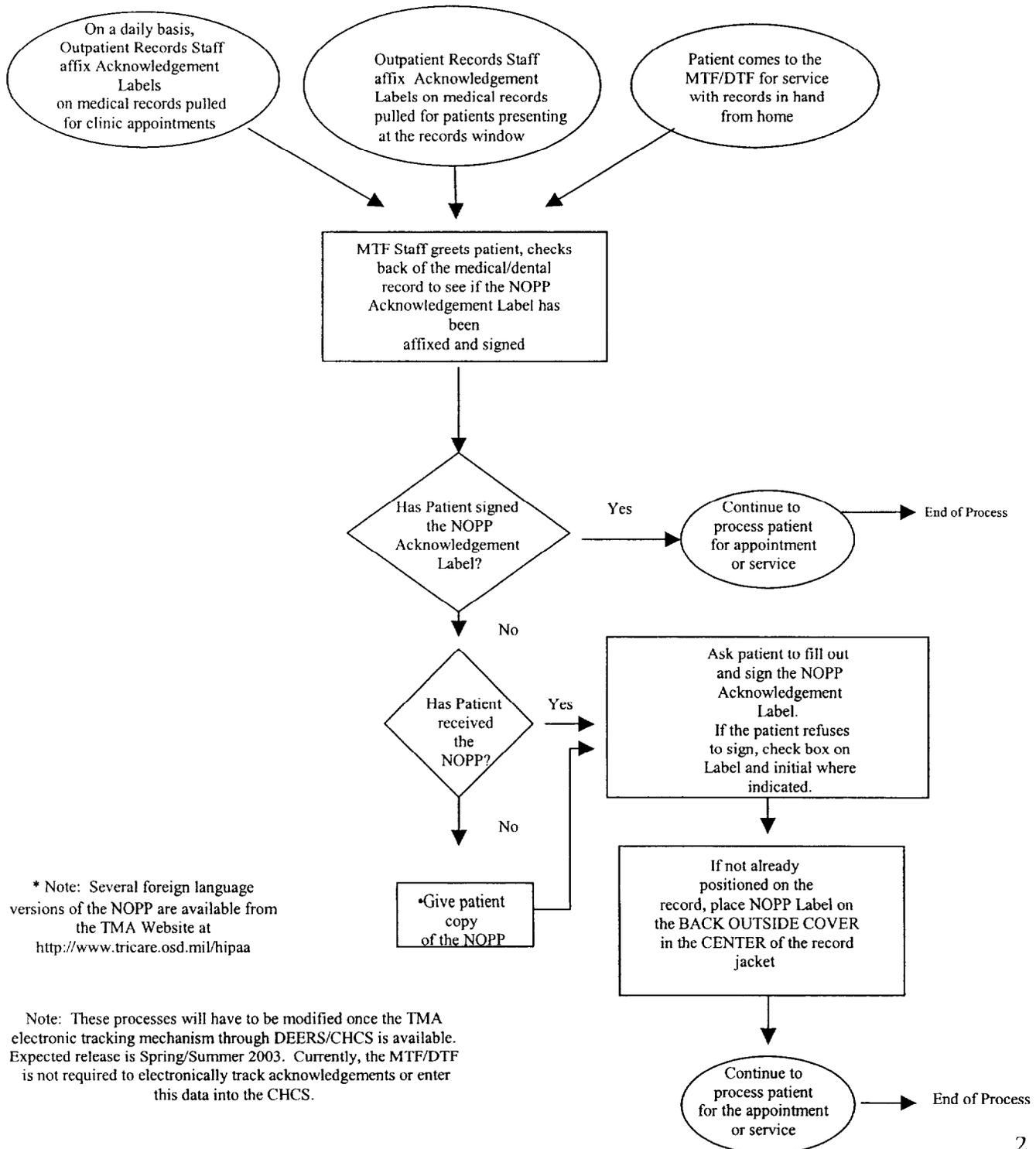


3. Wherever possible, the staff of the MTF/DTF Medical Records Department should affix the label on the medical/dental record **PRIOR TO THE PATIENT'S APPOINTMENT**. This approach reduces the administrative burden in the clinical and patient care areas.

4. Suggested locations within the MTF/DTF where patients may be requested to sign the label include, but are not limited to: outpatient records window, clinic reception areas, Patient Representative's Office, admissions and disposition waiting area, pharmacy reception areas (pharmacy window not recommended), or other appropriate areas within the MTF/DTF where patients present for treatment or service.

5. Patients who maintain their medical/dental records at home and come to the MTF/DTF for care/service without their outpatient medical/dental record must be reminded that the medical/dental record is government property and asked to return the record to the facility.

**SUGGESTED PROCESS FOR OBTAINING PATIENT SIGNATURE TO ACKNOWLEDGE RECEIPT OF THE MHS NOTICE OF PRIVACY PRACTICES (NOPP) :**



\* Note: Several foreign language versions of the NOPP are available from the TMA Website at <http://www.tricare.osd.mil/hipaa>

Note: These processes will have to be modified once the TMA electronic tracking mechanism through DEERS/CHCS is available. Expected release is Spring/Summer 2003. Currently, the MTF/DTF is not required to electronically track acknowledgements or enter this data into the CHCS.